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Accused E. German spy free on \$500,000 bail

By Philip Bennett
Contributing Reporter

Alfred Zehe, an East German scientist arrested last year in Boston on charges of buying classified US defense documents, was released from jail yesterday on \$500,000 bail that was paid by the East German government.

Zehe was escorted by US marshals from the Plymouth House of Correction to US District Court in Boston, where he was met by his attorney and Christian Pech, the East German consul in Washington. Pech presented a check for the bail with a release form signed by the current East German ambassador to the United States, Dr. Gerhard Herder.

Zehe, 45, of Dresden, declined to comment on his release.

Zehe had been held without bail since he was arrested by FBI agents on espionage charges on Nov. 3, 1983, while he attended a conference at the Sheraton Boston Hotel. Government prosecutors argued against bail because, they said, Zehe might be spirited out of the country by the East German government for fear that he would defect and become an informer rather than stand trial.

But Judge David S. Nelson ruled earlier this month that Zehe could be released pending a trial provided that he met a number of conditions. Among them, the judge ordered, were that Zehe be restricted to a 10-mile radius of Boston and that his bail be guaranteed by the East German government.

Michael Poetchke, a spokesman for the East German Embassy in Washington, said yesterday that posting the bail was a "normal function of the embassy."

An attorney for Zehe, Harvey A. Silverglate, said that Zehe had been invited to stay in the homes

of scientists in the Boston area, but had decided to rent an apartment instead. According to papers filed with the court, Zehe will be living in an apartment on Commonwealth Avenue in the Back Bay.

Zehe was charged with eight counts of espionage after he allegedly paid \$15,800 to William Tanner, a civilian employee of the US Navy, for plans of an antisubmarine system being developed by the Navy and for a Naval communications master plan. Prosecutors have said Tanner was working for the FBI and Naval Intelligence at the time.

The plans turned over to Zehe by Tanner were classified, prosecutors have said, but were on the verge of becoming obsolete. Prosecutors have said that US Officials decided that the release of the documents was worthwhile to obtain information about Eastern Bloc spying operations.

During negotiations for the plans, prosecutors said, Tanner met with Zehe five times in Mexico, once in East Berlin, and met with East German diplomats in Washington six times.

Defense attorneys have moved to have the charges dismissed because, they said, the alleged crimes took place in Mexico and because the documents were obsolete and did not endanger US national security.

If convicted, Zehe could be sentenced to life imprisonment. No trial date has been set.

While awaiting trial, Nelson ordered, Zehe may not leave his residence between 5 p.m. and 8:30 a.m. He will be permitted to leave his apartment during the day only to visit his attorney's office or on academic business with the permission of the US marshal's office.